

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 IN RE ALFREDO MONTOYA, No. C 14-0398 CW (PR)

4 Plaintiff.

5 ORDER OF DISMISSAL WITHOUT
PREJUDICE

6 _____/

7

8 This action was opened on January 28, 2014, when a letter
9 sent by Plaintiff to the Court was construed as an attempt by
10 Plaintiff to file a civil rights action under 42 U.S.C. § 1983.

11 On the same day the action was opened, the Clerk of the Court
12 sent a notice to Plaintiff, informing him that he must file his
13 claims on a civil rights complaint form. The Clerk also sent
14 Plaintiff a notice informing him that his case could not go
15 forward until he paid the filing fee or filed a completed
16 prisoner's in forma pauperis (IFP) application. The Clerk sent
17 Plaintiff a blank civil rights complaint form as well as a blank
18 IFP application and told him that he must submit these documents
19 within twenty-eight days or his action would be dismissed.

20 More than twenty-eight days have passed and Plaintiff has not
21 filed the necessary documents or communicated with the Court in
22 any manner. Accordingly, this action is DISMISSED WITHOUT
23 PREJUDICE.

24 The Clerk of the Court shall close the file.

25 Dated: 3/21/2014


26 CLAUDIA WILKEN
27 United States District Judge
28